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(c) The quantity of oil extracted and the revenue obtained are as follows :—

	Year. (1)	Quantity. (2)	Revenue. (3)
		LB.	RUPEES.
Shark Liver Oil..	1958–59	25,629	32,176
	1959–60	35,267	44,199
Skate Liver Oil..	1958–59	980	290
	1959–60	1,266	(not yet sold; estimated value is Rs. 785.)

APPENDIX VI.

[Vide item III (5), page 303 supra.]

L. C. Bill No. 2 of 1961.

A Bill further to amend the Madras Village Courts Act, 1888, *and to extend that Act to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.*

WHEREAS it is expedient further to amend the Madras Village Courts Act, 1888 (Madras Act I of 1889), for the purposes hereinafter appearing and to extend that Act to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district;

BE it enacted in the Twelfth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Madras Village Courts (Amendment) Act, 1961.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. *Insertion of new section 8-A in Madras Act I of* 1889.—After section 8 of the Madras Village Courts Act, 1888 (Madras Act of 1889) (hereinafter referred to as the principal Act), the following section shall be inserted, namely :—

" 8-A. *Suspension or removal of a Judge of a Village Panchayat Court appointed under the Travancore Act.*—The State Government may suspend or remove the President or other Judge of a Village Panchayat Court appointed under the Travancore Village Panchayat Courts Act, 1090 (Travancore Act I of 1090), and continuing as President or member of the Panchayat Court after the date of the commencement of the Madras Village Courts (Amendment) Act, 1961, for incapacity, neglect of duty, misconduct or other just and sufficient cause, and shall do so, on a requisition made by the High Court, for like cause appearing in the judicial proceedings of the Panchayat Court concerned.".

3. *Amendment of section* 13, *Madras Act I of* 1889.—In the first paragraph of section 13 of the principal Act, for the words "rupees fifty", the words "rupees two hundred" shall be substituted.

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L. C. Bill No. 2 of 1961—*cont.*

4. *Omission of section* 14 *in Madras Act I of* 1889.—Section 14 of the principal Act shall be omitted.

5. *Amendment of section* 40, *Madras Act I of* 1889.—In section 40 of the principal Act, for the words " five miles " in the two places where they occur, the words " eight kilometres " shall be substituted.

6. *Insertion of new section* 46-*A in Madras Act I of* 1889.—After section 46 of the principal Act, the following section shall be inserted, namely :—

" 46-*A*. *Amendment of decrees.*—The village court may, at any time, correct, either of its own motion or on the application of any of the parties—

(1) any clerical or arithmetical mistake in any decree, or

(2) any error arising in any decree from any accidental slip or omission.".

7. *Amendment of section* 78, *Madras Act I of* 1889.—In section 78 of the principal Act for sub-section (3), the following sub-sections shall be substituted, namely :—

" (3) All rules made under this Act shall be published in the Official Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

8. *Omission of section* 3 *in Madras Act XVI of* 1951.—Section 3 of the Madras Civil and Village Courts (Amendment) Act, 1951 (Madras Act XVI of 1951), shall be omitted.

9. *Extension of Madras Act I of* 1889 *to the transferred territory, repeals and savings.*—(1) The Madras Village Courts Act, 1888 (Madras Act I of 1889), as in force immediately before the date of the commencement of this Act and as amended by this Act hereinafter in this section referred to as the Madras Act), is hereby extended to, and shall be in force in, the transferred territory.

(2) The Travancore Village Panchayat Courts Act, 1090 (Travancore Act I of 1090), and any other law corresponding to the Madras Act, in force in the transferred territory immediately

before the date of the commencement of this Act and the Travancore-Cochin Village Courts Act, 1953 (Travancore-Cochin Act VII of 1954), shall stand repealed on the date of such commencement.

(3) The repeal by sub-section (2) of the Travancore Village Panchayat Courts Act, 1090 (Travancore Act I of 1090), and any other law corresponding to the Madras Act, in force in the transferred territory immediately before the date of the commencement of this Act and of the Travancore-Cochin Village Courts Act, 1953 (Travancore-Cochin Act VII of 1954), shall not affect—

(*a*) the previous operation of any such Act or law or anything done or duly suffered thereunder; or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under any such Act or law; or

(*c*) any penaltry, forfeiture or punishment incurred in respect of any offence committed against any such Act or law; or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(4) Subject to the provisions of sub-section (3), anything done or any action taken, including any appointment made, Village Panchayat Court established, notification, order, instruction or direction issued, or any rule or form framed under any such Act or law shall be deemed to have been done or taken under the Madras Act and shall continue to have effect accordingly, unless and until superseded by anything done or any action taken under the Madras Act.

(5) Unless the context otherwise requires, the Madras General Clauses Act, 1891 (Madras Act I of 1891), shall apply for the interpretation of the Madras Act as extended to, and in force in, the transferred territory.

(6) For the purpose of facilitating the application of the Madras Act in the transferred territory, and Court or other authority may construe such Act with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the court or other authority.

(7) Any reference in the Madras Act to a law which is not in force in the transferred territory shall, in relation to that territory, be construed as a reference to the corresponding law, if any, in force in that territory.

(8) Any reference in any law which continues to be in force in the transferred territory after the date of the commencement of this Act, to any Act or law, repealed by sub-section (2) shall, in relation to that territory, be construed as a reference to the Madras Act.

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(9) (*a*) If any difficulty arises in giving effect to the provisions of this Act or of the Madras Act as extended to the transferred territory by this Act, the State Government, as occasion may require, may, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

(*b*) All orders made under clause (*a*) shall be published in the Official Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(*c*) Every order made under clause (*a*) shall, as soon as possible, after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

Explanation.—For the purpose of this section, the expression "transferred territory" shall mean the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Item (*a*) of sub-clause (9) of clause 9 of the Bill empowers the Government to remove by order any difficulty which may arise in giving effect to the provisions of the proposed Act or of the Madras Village Courts Act 1888, (Madras Act I of 1889), as extended to the transferred territory by the proposed Act. The powers delegated are normal and not of an exceptional character.

APPENDIX VII.

[Vide item III (6), page 308 supra.]

L. C. Bill No. 3 of 1961.

A Bill to amend the Madras Hindu Religious and Charitable Endowments Act, 1959.

WHEREAS it is expedient to amend the Madras Hindu Religious and Charitable Endowments Act, 1959 (Madras Act 22 of 1959), for the purposes hereinafter appearing;

BE it enacted in the Twelfth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Hindu Religious and Charitable Endowments (Amendment) Act, 1961.

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L. C. Bill No. 3 of 1961—*cont.*

2. *Amendment of section* 9, *Madras Act* 22 *of* 1959.—For clauses (a) and (b) of sub-section (2) of section 9 of the Madras Hindu Religious and Charitable Endowments Act, 1959 (Madras Act 22 of 1959), the following clauses shall be substituted, namely :—

" (*a*) Appointment to the post of Commissioner shall be—

(i) by transfer from among the members of the Madras State Higher Judicial Service or of the Madras State Judicial Service or of any other service, or

(ii) by promotion from Deputy Commissioners, or

(iii) by direct recruitment.

(*b*) Appointment to the post of Deputy Commissioner shall be—

(i) by transfer from among the members of the Madras State Judicial Service or of any other service, or

(ii) by promotion from Assistant Commissioners, or

(iii) by direct recruitment, or

(iv) by agreement or contract ".

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